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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ZAINA DOUMAT, individually;

Plaintiff,

v.

TARGET CORPORATION; DOES I – X; and
ROE CORPORATIONS I - X, inclusive,
Defendants.

CASE NO. 2:23-cv-01231-APG-DJA

**STIPULATED DISCOVERY PLAN
AND SCHEDULING ORDER**

1. **Meeting:** Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on August 28, 2023, and was attended by Craig A. Henderson, Esq. of ER Injury Attorneys, for Plaintiff, and Alan W. Westbrook, Esq. of Perry & Westbrook, for Defendant.

2. **Pre-Discovery Disclosures:** Pursuant to Fed. R. Civ. P. 26(a)(1), Plaintiff and Defendant will serve their Initial Disclosures on or before August 28, 2023.

3. **Areas of Discovery:** The parties agree that the areas of discovery should include, but not be limited to: all claims and defenses allowed pursuant to the Federal Rules of Civil Procedure.

4. **Changes to Discovery Rules:** The parties do not see a need to change the discovery rules set forth in the Federal Rules of Civil Procedure and the Local Rules for the District of Nevada.

5. **Discovery Plan:** The parties proposed the following discovery plan:

A. **Alternative Dispute Resolution:** The parties certify that they met and conferred about the possibility of using alternative dispute-resolution processes, including mediation, arbitration and if applicable, early neutral resolution.

1 **B. Alternative Forms of Case Disposition:** The parties certify they considered
 2 consent to trial by magistrate judge under 28 USC § 636(c) and Fed. R. Civ. P. 73 and the use of
 3 the Short Trial Program.

4 **C. Discovery Cut-off Dates(s):** LR 26-1(b)(1) provides that “unless otherwise
 5 ordered, discovery periods longer than one hundred eighty (180) days from the date the first
 6 defendant answers or appears will require special scheduling review.” The parties agree there is
 7 no need for a special review. Therefore, the parties agree that discovery must be commenced and
 8 completed no later than January 31, 2024. This date is 180 days after Defendant’s filing of its
 9 appearance and answer.

10 **D. Amending the Pleadings and Adding Parties:** The parties shall have until
 11 November 2, 2023, to file any motions to amend the pleadings to add parties. This is 90 days
 12 before the discovery cut-off date.

13 **E. FRCP 26-1(b)(3) Disclosures of Experts:** Disclosure of experts shall
 14 proceed according to Fed. R. Civ. P. 26(a)(2) as follows: the disclosure of experts and their reports
 15 shall occur on or before December 1, 2023. The disclosure of rebuttal experts and their reports
 16 shall occur on or before January 2, 2023. These deadlines are 60 and 29 days before the disclosure
 17 cut-off-date, respectively.

18 **F. Dispositive Motions:** The parties shall have until March 4, 2024, to file
 19 dispositive motions. This is 32 days after the discovery cut-off date.

20 **G. Pre-Trial Order:** The parties will prepare a Consolidated Pre-Trial
 21 Order on or before April 3, 2024, which is 30 days after the date set for filing dispositive
 22 motions in the case. This Deadline will be suspended if dispositive motions are timely filed
 23 until 30 days after the decision of the dispositive motions or until further order of the Court.
 24 The disclosures required by Fed. R. Civ. P. 26(a)(3) and objections thereto, shall be made in
 25 the pre-trial order.

26 **H. Electronic Evidence:** The parties certify they discussed whether they
 27 intend to present evidence in electronic format to jurors for the purposes of jury deliberations. At
 28 this time, the parties agree they will submit their exhibits to the court in paper format or

1 electronic format. The parties agree to service of discovery requests and responses in PDF
 2 format via Email, where practical. For documents too large to send via email, the parties
 3 consent to exchange via a cloud-based service (DropBox, OneDrive, iCloud, etc) or on a CD
 4 or DVD sent via US Mail.

5 **I. Court Conferences:** If the Court has questions regarding the dates proposed by
 6 the parties, the parties request a conference with the Court before entry of the Scheduling Order. If
 7 the Court does not have questions, the parties do not request a conference with the Court.

8 **J. Extensions or Modifications of the Discovery Plan and Scheduling Order:**
 9 LR ~~26-4~~ governs modifications or extensions of this Discovery Plan and Scheduling Order. Any
 10 stipulation or motion must be made not later than January 10, 2024, 21 days before the
 11 discovery cut-off date.

12 **K. Format of Discovery:** Pursuant to the electronic discovery amendments to
 13 the Federal Rules of Civil Procedure effective December 1, 2006, the parties addressed the e-
 14 discovery issues pertaining to the format of discovery at the Fed. R. Civ. P. 26(f) conference. The
 15 parties do not anticipate discovery of native files or metadata at this time, but each party reserves
 16 the right to make a showing for the need of such electronic data as discovery progresses.

17 **L. Electronic Service of Discovery:** Plaintiff hereby agrees to electronic
 18 service of all documents at the following email addresses: craig@erinjuryattorneys.com,
 19 miriam@erinjuryattorneys.com.

20 Defendant hereby agrees to electronic service of all documents to the following email
 21 addresses: awestbrook@perrywestbrook.com, jmosely@perrywestbrook.com, and
 22 vgonzalez@perrywestbrook.com.

23 ER INJURY ATTORNEYS

PERRY & WESTBROOK

24 By: /s/ Craig A. Henderson
 25 Craig A. Henderson, Esq.
 26 Nevada Bar No. 10077
 1700 S. Pavilion Center Dr., Ste. 530
 Las Vegas, Nevada 89135
 Attorney for Plaintiff

By: Alan W. Westbrook
 Alan W. Westbrook, Esq.
 Nevada Bar No. 006167
 11500 S. Eastern Ave., Ste. 140
 Henderson, Nevada 89052
 Attorney for Defendant

ORDER

IT IS SO ORDERED that the parties' stipulated discovery plan and scheduling order (ECF No. 12) is GRANTED.

A handwritten signature in blue ink, appearing to read 'D. Albregts', is written over a horizontal line.

DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

DATED: 9/7/2023



Miriam Alvarez <miriam@erinjuryattorneys.com>

RE: Zaina Doumat v. Target-- Proposed Discovery Plan and Scheduling Order

1 message

Alan Westbrook <awestbrook@perrywestbrook.com>

Wed, Sep 6, 2023 at 4:38 PM

To: Miriam Alvarez <miriam@erinjuryattorneys.com>

Cc: Jennifer Mosley <jmosley@perrywestbrook.com>, Veronica Gonzalez <vgonzalez@perrywestbrook.com>, Paul Sheldon <psheldon@perrywestbrook.com>, "zainadoumatz11630426@projects.filevine.com"

<zainadoumatz11630426@projects.filevine.com>, April Taylor <april@erinjuryattorneys.com>, Craig Henderson <craig@erinjuryattorneys.com>

Perfect, you may affix my e-signature.

Thank you,

Alan

Alan Westbrook, Esq.
Perry & Westbrook, A Professional Corporation
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From: Miriam Alvarez <miriam@erinjuryattorneys.com>**Sent:** Wednesday, September 6, 2023 4:36 PM**To:** Alan Westbrook <awestbrook@perrywestbrook.com>**Cc:** Jennifer Mosley <jmosley@perrywestbrook.com>; Veronica Gonzalez <vgonzalez@perrywestbrook.com>; Paul Sheldon <psheldon@perrywestbrook.com>; zainadoumatz11630426@projects.filevine.com; April Taylor <april@erinjuryattorneys.com>; Craig Henderson <craig@erinjuryattorneys.com>**Subject:** Re: Zaina Doumat v. Target-- Proposed Discovery Plan and Scheduling Order

Agree. Attached is the revised version. I included the emails for the electronic service as the last paragraph.